

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 PM-09 NSC-10 SS-15 RSC-01 CIAE-00

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TO SECSTATE WASHDC 1221

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HQ 3 AF RAF MILDENHALL

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UNCLAS LONDON 05728

E. O. 11652: N/A

TAGS: MARR, SENV, UK

SUBJECT: COMPENSATION TO PROPERTY OWNERS NEAR US
MILITARY INSTALLATIONS

1. MOD HAS DRAWN OUR ATTENTION TO SEVERAL PROVISIONS OF THE LAND COMPENSATION BILL INTRODUCED IN THE PARLIAMENT LAST WINTER AND EXPECTED TO BE ENACTED IN THE NEAR FUTURE. THIS LEGISLATION WOULD, INTER ALIA, GIVE A RIGHT TO PROPERTY OWNERS, WHOSE REAL ESTATE HAS BEEN REDUCED IN VALUE BY ITS PROXIMITY TO NEW PUBLIC WORKS, (I. E., THOSE THAT HAVE COME INTO USE SINCE OCT 17, 1969) TO CLAIM FINANCIAL COMPENSATION.

2. ALTHOUGH THE BILL DOES NOT APPLY DIRECTLY TO MILITARY INSTALLATIONS, MOD INTENDS TO IMPLEMENT ITS PROVISIONS BY ADMINISTRATIVE ACTION. IT HAS STATED THAT MILITARY AIRFIELDS ARE THE TYPE OF INSTALLATIONS MOST LIKELY TO BE AFFECTED, WITH COMPENSATION LIKELY TO BE PAYABLE IF A NEW AIRFIELD WERE BUILT OR EXISTING RUNWAYS LENGTHENED OR

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STRENGTHENED TO ACCOMMODATE NOISIER AIRCRAFT. ADDITION-

ALLY, THE DEFENCE SECRETARY WOULD BE GIVEN DISCRETIONARY AUTHORITY TO AUTHORIZE THE INSULATION OF PRIVATE BUILDINGS IN THE VICINITY OF SUCH INSTALLATIONS TO LOWER NOISE LEVELS FOR THEIR OCCUPANTS.

3. PARAGRAPH 28 OF THE WHITE PAPER ON " DEVELOPMENT AND COMPENSATION" (BEING POUCHED) READS: QUOTE: IT IS THE GOVERNMENT' S INTENTION THAT INJURIOUS AFFECTION CAUSED BY THE USE OF NEW PUBLIC WORKS FOR DEFENCE PURPOSES SHOULD COME WITHIN THE SCOPE OF THESE PROPOSALS BUT TO PROVIDE SATISFACTORILY FOR THIS BY STATUTE MAY INVOLVE AMENDING THE DEFENCE ACTS. PENDING ANY SUCH LEGISLATION, THE SUBSTANCE OF THE PROPOSALS WILL BE PUT INTO OPERATION IN RELATION TO DEFENCE WORKS BY ADMINISTRATIVE ACTION. THE SECRETARY OF STATE FOR DEFENCE WILL ALSO AT HIS DISCRETION, AUTHORISE THE SOUND INSULATION OF BUILDINGS WHICH ARE SUBJECT TO HIGH NOISE LEVELS THROUGH THE USE OF NEW NEIGHBOURING DEFENCE INSTALLATIONS. UNQUOTE.

4. RESPONSIBILITY FOR PAYING SUCH COMPENSATION AS MAY BE AWARDED RESTS WITH THE AUTHORITY MANAGING THE INSTALLATION, AND PAYMENTS FOR INSTALLATIONS OCCUPIED BY VISITING FORCES WOULD, IN THE FIRST INSTANCE, BE MET BY MOD. THE MINISTRY OF DEFENCE IN TURN IS SEEKING OUR ASSURANCE THAT THE USG WILL ACCEPT RESPONSIBILITY FOR REIMBURSING IT FOR ALL CLAIMS PAID ON BEHALF OF THE UNITED STATES ONCE THE LEGISLATION IS ENACTED. MOD STATES CATEGORICALLY THAT NO ACTIONS WILL BE TAKEN UNDER THEIR DISCRETIONARY AUTHORITY (OUTLINED IN PARA 1 ABOVE) WITHOUT THE FULLEST CONSULTATION.

5. COMMENT: PROPOSED ACTIONS APPEAR CONSISTENT WITH TENURE ARRANGEMENTS WE HAVE HAD OVER THE YEARS FOR US INSTALLATIONS IN THE UK. AT THE SAME TIME, US FORCES ARE STATIONED HERE AS ELEMENT OF THE COMMON DEFENSE; WE BELIEVE PERSUASIVE CASE CAN AND SHOULD BE MADE TO EFFECT THAT IT UNREASONABLE FOR US TO BE ASKED COMPENSATE LOCALS FOR INCONVENIENCES OF THIS COMMON EFFORT, PARTICULARLY IN LIGHT STRONG PRESSURES WITHIN US FOR REDUCTION OF US FORCES OVERSEAS. REQUEST GUIDANCE.

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